## REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1, 3-46 remain pending, wherein claims 18, 24, 25 and 41 are amended. The amendments to claims 18 and 41 correct typographical errors and do not limit the scope of these claims. It is also respectfully submitted that the amendments to claims 24 and 25 do not limit the scope of coverage of these claims.

Initially, Applicants note that claim 25 has not been rejected, but has not been indicated as containing allowable subject matter. Accordingly, Applicants respectfully request that the next Office Action identify the status of this claim.

Claims 1, 3-24 and 26-46 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of U.S. Patent No. 6,567,800 to Barrera et al. ("Barrera") and U.S. Patent No. 5,937,163 to Lee et al. ("Lee"). This ground of rejection is respectfully traversed.

The combination of Barrera and Lee does not render Applicants' claim 1 obvious because the combination does not disclose or suggest all of the elements of this claim. Furthermore, one of ordinary skill in the art would not have been motivated to modify Barrera by Lee for the reasons set forth in the Office Action.

Barrera discloses a system that includes a search computer 501 for accessing and storing website content that is correlated with categories 508.[1] The "website content is *automatically* gathered and stored using a software application called a spider."[2] Barrera, therefore, does not disclose or suggest means for initiating saving of a content of an Internet page displayed by the browser *in response to one click of a single button*, as recited in Applicants' claim 1.

Furthermore, because Barrera uses a spider to collect content, Barrera does not disclose or suggest means for *acquiring* the content of the currently displayed page *from the browser*. Nor can Barrera disclose or suggest the means for indexing, which indexes data acquired by the means for acquiring. Finally, Barrera cannot disclose or suggest the means for saving data, which saves such data upon initiation of saving through the means for initiating.

The Office Action cites Lee for the disclosure of "in response to one click of a single button."[3] Lee discloses a system and method for hierarchically organizing links visited by a web browser. Specifically, when HTML formatted information is received from a server, such information is displayed, and if the

[1] Col. 3, lines 51-58.
[2] Col. 4, lines 4-7 (emphasis added).
[3] Office Action at page 3.

URL/HTML link is previously unknown, the URL/HTML link is recorded.[4] Although Lee discloses selecting a tab by pointing and clicking a button of a pointer device, Lee does not disclose or suggest using the pointer device to initiate saving of a content of an Internet page displayed by a browser in response to one click of a single button of a pointer device.

Moreover, Lee does not disclose or suggest acquiring the content of a displayed page, assigning a predetermined index to the acquired data, and saving the acquired data with the assigned index. As such, Lee cannot disclose or suggest any of the means recited in Applicants' claim 1. Therefore, Lee does not remedy any of the above-identified deficiencies of Barrera with respect to claim 1.

It appears that the combination of Barrera and Lee is being made without considering the claimed invention as a whole, which is one of the tenets that must be adhered to when applying 35 U.S.C. § 103(a).[5] In particular, "the question under 35 U.S.C. 103 is not whether the differences themselves would

[4] Figure 9, steps 218 and 220.
[5] M.P.E.P. § 2141 II.

have been obvious, but whether the claimed invention as a whole would have been obvious."[6]

The rejection of Applicants' claim 1 relies upon Barrera for the function of the "means for initiating" and Lee for the condition upon which this function is performed. Specifically, the Office Action states that Barrera discloses all of the claim elements except for the recitation of "in response to one click of a single button," and the Office Action relies upon Lee for this disclosure. Applicants' claim 1, however, does not merely recite the use of "one click of a single button" divorced from the rest of the claim. Instead, saving a content of an Internet page is performed in response to the click of a single button. There is no disclosure or suggestion in either Barrera or Lee of this relationship between the function and the condition upon which this function is performed. When the "means for initiating" is considered in its entirety, neither Barrera, Lee or a combination of Barrera and Lee discloses or suggests this claim element.

Furthermore, the rejection of Applicants' claim 1 does not consider the disclosures of Barrera and Lee in their entirety, "i.e., as a whole, including portions that would lead away from the claimed invention."[7] As discussed above,

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[6] M.P.E.P. § 2141.02, citing Stratoflex, Inc. v. Aeroquip Corp., 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); and Schenck v. Nortron Corp., 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983).
[7] M.P.E.P. § 2141.02 VI., citing *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984)

the content collection of Barrera is performed *automatically* by a spider, and there is no need or desirability to require a click of a single button to initiate the saving of a content of an Internet page. Therefore, one of ordinary skill in the art would have no reason to modify the system of Barrera to require a click of a button to initiate the content collection and saving process because Barrera's disclosure of an automatic process teaches away from this modification.

Nevertheless, the Office Action cites Lee's disclosure in column 11, line 46-column 12, line 64 that a pointing device can be used to select a icons as disclosing the "in response to one click of a single button" recited in Applicants' claim 1. The Office Action concludes that it would have been obvious to incorporate this disclosure of Lee into the system of Barrera "because it would have provided users the ability to perform arbitrary searches and to save desired information into an existing URL/HTML organization." Lee, however, does not disclose that one click of a single button provides this functionality. Instead, Lee discloses that much more is required for such functionality. Therefore, achieving this functionality would not have motivated one of ordinary skill in the art to incorporate one click of a single button from Lee into the system of Barrera in order to initiate saving of a content of an Internet page displayed by a browser, as recited in Applicants' claim 1.

Claims 2 and 4-23 variously depend from claim 1, and are patentably distinguishable over the combination of Barrera and Lee at least by virtue of such dependency.

Claim 24 recites a method with similar elements to those discussed above with regard to claim 1. Therefore, claim 24 is patentably distinguishable over the combination of Barrera and Lee for similar reasons. Claims 26-46 are patentably distinguishable at least by virtue of their dependency from claim 24.

For at least those reasons stated above, it is respectfully requested that the rejection of claims 1, 3-24 and 26-46 as being obvious in view of the combination of Barrera and Lee be withdrawn.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #103251.58981US).

Respectfully submitted,

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